

**REMARKS**

Claims 1-16 are pending.

I. Specification Amendment

Applicants thank the Examiner for withdrawing the objections to the specification presented in Paper No. 7. However, through an inadvertent error, without deceptive intent, in correcting the originally filed specification to create the substitute specification submitted on February 6, 2003, the cross-reference information was omitted. Thus, Applicants take this opportunity to re-insert the “specific reference to the earlier filed application”, as originally submitted in the Preliminary Amendment of July 25, 2001. The benefit claim was already submitted, and acknowledged on both the Filing Receipt and the Office Action Summary sheets accompanying this Office Action, as well as of the Office Action of October 7, 2002 (and the text therein). No new matter is being entered.

II. Claim Objections

Claims 2 and 3 stand objected to under 37 CFR § 1.75(c), as allegedly being of improper dependent form. The Office Action asserts “claims 2 and 3 fail to further limit the structure of the guiding means” (emphasis added). However, because claims 2 and 3 are method claims, neither adds a structural feature. In contrast, claims 2 and 3 recite method steps, not the structural features. In any event, in order to advance prosecution of this application, claim 2 has been rewritten into independent form. Thus, no new matter is being entered, and as each feature recited by present claim 2 has already been presented in substance, if not in independent form, this amendment does not raise any new issues requiring an additional search or consideration.

III. 35 USC § 103

Claims 1-16 stand rejected under 35 USC § 103(a) as being allegedly unpatentable over Martensson (WO 96/27721) in view of Parasin (U.S. Patent No. 5,165,816). The Office Action asserts that Martensson teaches each feature recited by the claims, except for recesses to form cavities to hold the glue used for joining, for which purpose Parasin is cited. Specifically, the Office Action points to various holes, identified at 42, 44 and 46 of Parasin, as being similar to the presently recited cavities. Although Applicants previously argued that the holes 42, 44 and 46 of Parasin are not cavities as presently claimed, the Examiner was unpersuaded.

However, in light of the above amendments, reconsideration is respectfully requested. Specifically, the claims have been amended to clarify the positions and locations of the first and second fitting clearances. As disclosed throughout the present specification and Figures, the fitting clearances 4, are defined by the cavities formed between the tenon 2 and groove 1 when joined. Specifically, the first fitting clearance is positioned between the distal end of the tenon and the innermost (or proximal) section of the groove, while the second fitting clearance is bounded, on at least one side, by the guiding means. In an example of this embodiment, as shown in Fig. 2, the guiding means 3 forms the lower edge of the second fitting clearance. In addition, the joint contains cavities collectively identified as "4."

In contrast, according to Figs. 2 and 3 of Martensson, the tongue and groove thereof, join without forming a first and second fitting clearance as presently claimed. Specifically, the disclosure of Martensson teaches that "tight joint" is formed, column 1. Similarly, the shape of tongue 12 and groove 14 of Parasin are also shown as abutting after installation.

In any event, Applicants respectfully present that Martensson and Parasin cannot properly be combined. Specifically, the shape of the tongue and groove of Parasin is designed to allow for easy installation of panels "with bowed, somewhat wavy or swollen, or with slightly damaged edges". As a result, the groove of Parasin is designed to be significantly larger than the

respective tongue. Therefore, glue is required to fixedly assemble the panels and to prevent the accumulation of dirt and debris between the panels. In contrast, the shape of the tongue and groove of Martensson are designed to form a tight joint, while simultaneously preventing the accumulation of dirt and debris between the panels. Thus, one of ordinary skill in the art would not be motivated to incorporate the shape of the tongue and groove of Parasin into the structure of Martensson.

IV. Conclusion

In view of the above, it is respectfully submitted that all objections and rejections are overcome. Applicants respectfully request entry of the above amendments and passage of the application to allowance. If any issues remain which may best be resolved through a telephone communication, the Examiner is requested to telephone the undersigned at the local Washington, D.C. telephone number listed below.

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Respectfully submitted,



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